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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NICOLAS SANTOS, and
WILFRED SANTOS,

Defendants.

Case No.: 2:21-mj-00747-BNW

**STIPULATION TO CONTINUE THE
PRELIMINARY EXAMINATION
HEARING
(First Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between CHRISTOPHER CHIOU, United States Attorney, and ALLISON REESE, Assistant United States Attorney, counsel for the United States of America, and JAWARA GRIFFIN, Assistant Federal Public Defender, counsel for Defendant NICOLAS SANTOS, and MONTI LEVY, CJA appointed counsel for Defendant WILFRED SANTOS, that the preliminary examination hearing in the above-captioned matter, currently scheduled for September 17, 2021, at 4:00 p.m., be vacated and continued for thirty (30) days, to a date and time to be set by this Honorable Court.

This stipulation is entered into for the following reasons:

1. The Government needs additional time to produce relevant discovery to Defense Counsel.

2. Defense Counsel needs additional time to review the discovery, conduct additional investigation, and confer with the Defendant about how he would like to proceed.

3. The parties agree to the continuance.

4. Defendant NICOLAS SANTOS and WILFRED SANTOS are in custody and do not object to the continuance.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

6. The additional time requested herein is not sought for purposes of delay, but to allow for a potential pre-indictment resolution of the case.

7. The additional time requested by this stipulation, is allowed, with the defendants' consent under the Federal Rules of Procedure 5.1(d).

8. This is the first request for a continuation of the preliminary examination hearing.

DATED: September 15, 2021

Respectfully submitted,

CHRISTOPHER CHIOU
Acting United States Attorney

/s/ Allison Reese

ALLISON REESE
Assistant United States Attorney

RENE L. VALLADARES
Federal Public Defender

/s/ Jawara Griffin

JAWARA GRIFFIN
Counsel for Defendant Nicolas Santos

/s/ Monti Levy

MONTI LEVY
Counsel for Defendant Wilfred Santos

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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Defendants.

Case No.: 2:21-mj-00747-BNW

ORDER

ORDER

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The Government needs additional time to produce relevant discovery to Defense Counsel.

2. Defense Counsel needs additional time to review the discovery, conduct additional investigation, and confer with the Defendant about how he would like to proceed.

3. Defendants NICOLAS SANTOS and WILFRED SANTOS are in custody and do not object to the continuance.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

5. The additional time requested herein is not sought for purposes of delay, but to allow for a potential pre-indictment resolution of the case.

6. The additional time requested by this stipulation, is allowed, with the defendants' consent under the Federal Rules of Procedure 5.1(d).

7. This is the first request for a continuation of the preliminary hearing.

1 For all of the above-stated reasons, the ends of justice would best be served by a
2 continuance of the preliminary hearing date.

3 **CONCLUSIONS OF LAW**


4 The ends of justice served by granting said continuance outweigh the best interest of the
5 public and the defendant, since the failure to grant said continuance would be likely to result in
6 a miscarriage of justice, would deny the parties herein to potentially resolve the case prior to
7 indictment, and further would deny the parties sufficient time and the opportunity within which
8 to be able to effectively and thoroughly prepare for the preliminary hearing, taking into account
9 the exercise of due diligence.

10 The continuance sought herein is allowed, with the defendant's consent, pursuant to
11 Federal Rules of Procedure 5.1(d).

12 **ORDER**

13 IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled for
14 September 17, 2021, at 4:00 p.m., be vacated and continued to October 12, 2021, at the
15 hour of 3:15 p.m.

16 DATED this 16 day of September, 2021.

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18 
19 THE HONORABLE BRENDA WEKSLER
20 UNITED STATES MAGISTRATE JUDGE
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